D. D. File No. 210(3)

1939

Collection No. P. 22

Pros. / Serial Nos. 1 – 2

(K)

Subject.

Remission of Sentence to Prisoner No. 9274, Abdul Hamidkhan @ Abdulla Central Jail, Vellore.

Previous References.

Later References.

S. 97.—(Blue).

MFP—1496 S&P—(M-2792)—5-5-38—100,000.

NOTES AND PRECIS.

Dy. No.4534. S.N.(1).

1

Please see the convict's Roll at (Q) He was sentenced to undergo rigorous imprisonment for a period of three years and N.R. for two years after release from jail. This is his tenth conviction. The District Magistrate, and the Commissioner of Police, C & M Station who were consulted by the jail authorities have not recommended any remission of the sentence since the convict is a dangerous K.D. The Advisory Board however recommend the convict's release on the ground that he has to serve only 4 months and 18 days (on 8-4-1939) The unexpired period of the sentence now is about three months and twenty days. The Superintendent, Central Jail, Vellore, certifies his conduct in prison as 'exemplary'

2

Before the Resident passes final orders, the District Magistrate may see file U/O for favour of ~~his~~ ~~further~~ remarks, ~~if any.~~

6.5.39.

6.5.39

8.5.39.

The District Magistrate, C & M Station, Bangalore.

U.O.No. D. 4534-39, dated the 8th May 1939.

3

I am opposed to the grant of any remission in this case. Prison discipline seems to be good for the man.

11.5.39.

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
13 MAY 1939
Diary No. 4911
File No.

To the Secretary to the Resident in Mysore, B'lore

U.O. No. 1744-C-39 dated 11th May 1939.

Please see from para 1 of notes ante.

4

Submitted for orders. In case the recommendation of the District Magistrate, C & M Station, is accepted, the draft submitted is for approval.

16.5.39

16.5.39

May be referred.

18/5/39.

Secy.

V.P. please

Await

Record.

S.N. (2): Issue

CORRESPONDENCE.

Home Department
No. 2382.

From

A. R. MacEwen Esq., C.I.E., M.C., I.C.S.

Secretary to the Government of Madras.

To

The Hon'ble the Resident in Mysore,

Bangalore.

Dated, Fort St. George, the 28th April 1939.

Sir,

Prisoners - Advisory Board - Central Jail, Vellore
Release. No.9274, Abdul Hamidkhan @ Abdulla.

I am directed to forward for the orders of the Hon'ble the Resident in Mysore the accompanying papers relating to the convict cited above. The copies of judgments may kindly be returned when no longer required.

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
2 MAY 1939
Diary No. 4534
File No.

I have the honour to be,

Sir,

Your most obedient servant,

for Secretary to Government.

Mnc.

Judl. (Jail II) 82—724—3- (2)

Roll of convict recommended for conditional release under the Intermediate sentences scheme sanctioned in G.O. No. 667, Law (General) Department, dated 26th February 1923.

1. Name of jail	Central Jail, Vellore.
2. Convict number	9274
3. Name of convict	Abdul Hamid Khan alias Abdulla.
4. Name of village, taluk and district ..	Bangalore contonement (Subtankunta) Bangalore.
5. Court by which the prisoner was convicted and case number.	Sessions Judge, Civil & Military Station, Bangalore, S.C.No.13 of 1936.
6. Section of the I.P.C. or other law under which convicted.	381, 75 I.P.C.
7. Date of sentence	11-1-1937.
8. Period of sentence	3 years R.I. and N.R. for 2 years after release
9. Date on which convict completed two-thirds of his sentence.	1-3-39.
10. Unexpired portion of sentence on date of recommendation by the Board, including remission earned (remission granted in celebration of public events should be excluded).	Y. M. D. 0. 4. 18

Shoolay Police station history sheet No.24, K.D.Abdul Hameed Khan son of Dilavan Saloo Kahan (died) aged 24 years of no fixed abode, visits prostitutes houses and is addicted to intoxicating drugs, employed himself as a servant under merchants and commits crime.

His sphere of operation is Bangalore City, Bangalore contonement, Closepet and Madras city. He has no associates. Class of crime III-M. He has the following previous convictions:-

11. Full "police tion of th Police.

Previous convictions: -

I. Convicted u.s.380 I.P.C. & sentenced to 8 stripes in C.C. 1572 by the Bench Magistrate, Bangalore City on 20-4-1926.

II. Convicted u.s. 380 I.P.C. & sentenced to 3 months R.I. in C.C.No.1723 by the Bench Magistrate, Bangalore City on 28-2-1927.

III. Convicted u.s. 380 I.P.C. & sentenced to 3 months R.I. in [illegible] the Bench Magistrate, Bangalore City on 17/

IV

12. Recommendat Magistrate.

13. Remark of the on the cond

14. Recommendati with detail differs fro Police or th

Central Jail,

Dated 8. 4

N.R. P.R.S. Habitual-2 / Mental Diet / Ordinary "C" class Convict

FORM No. 52. Jndl. (Jail-II)-27—12.560—9-4-38.

(See Rule 879, Jail Manual.)

Nominal Roll of Male * Convict No. † 9274 / 32, Name Abdul Hamid Khan, Residence (Village, Taluk and District) Subankunta - Bangalore Caste Muhammadan, Present Age 26 years, Occupation Coolie

Coult.

Section and Code under which imprisoned.	Original sentence of order and date.	Adjudicating Court and Calendar number of case.	Unexpired term of sentence after deducting remission earned. Y.	M.	D.	Present state of health and fitness to undertake a journey.‡	Result of appeal (if any).	Conduct in Jail.	Remarks.
381 and 75 I.P.C	Rl. for three years and R.R. for two years. 11-1-37	Sessions Judge, C.to M.S. Bangalore in C.C. 12/36		4	16	I H	Dismissed.	Satisfactory	Remission earned up to of preceding month 134 days. By transfer from P.J. Bangalore on 23.4.39. Education "B"

* Strike out and add "Female" when necessary.

† After the prisoner's number, add his class A or B, according as he is classed as a Casual (and whether Star) or Habitual, respectively, and after the letter, add the number of previous convictions, thus—No. 3742 B-2.

‡ When a journey is about to be undertaken by a prisoner, the roll is to be signed by the Medical Officer.

NOTE.—Personal and descriptive marks are to be given on the reverse when (1) rolls accompany prisoners transferred, (2) police assistance is sought for the recapture of an escaped prisoner.

Vellore Central JAIL,
10 th April 1939

10.1.40.
10.4.39
0.9.0
14.4.0
16.4.0

Superintendent

No.R. 1723

Office of the Superintendent, Central Jail,
Vellore, dated the 20th January 1939.

Major G. S. Gill, I.M.S.,
Superintendent.

To The District Superintendent of Police,
Bangalore.

Sir,

As the Advisory Board constituted by G. O. No.667, Law(General) dated the 26th February 23, as published in Part I of the Fort St. George Gazette dated 6-3-23, is to sit at this jail shortly, I request that you will be so good as to favour me promptly with full and accurate details of the previous history in the case of convict No. 9274 Abdul Hameedkhan @ Abdula who was sentenced in S.C No. 12 of 36 on the file of the Sessions Judge, C.& M. Stn. Bangalore as it is one of those to be placed before the Board for consideratio

2. As the matter does not admit of delay, I shall be obliged if you will kindly give it to your personal attention and forward the requir d details with all possible haste through the District Magistrate, Bangalore so as to be received well in time.

Major, I.M.S.,
Superintendent

Encl: Sadhwan Sadhukhan.
Residence: Bangalore Cantt - Sultankunta.
Sentence: 5yrs. R.I. + N.R. for 2yrs.

P To

B Secretary for early report

Sir I made enquiry at the Sessions Court with the Clerk who said that reference may be made directly to Sessions judge through the C.O.P. for information.

E. G. Minayulu
H.C.76 B/1
27/11/39

H.C.76

Clerk the Record clerk

Sir,

particulars of the convict is herewith- attaches further particulars if required may be ascertained as the convict was B.76 / 27/11

Ref No 1289/9/39 D/23.1.39

Reg. Convict No 9274 Abdul Hameed Khan

Sir,

particulars of his Conviction ascertained & his name is herewith attached. For his particulars if required may kindly be ascertained from C/1 Mooley Police station, as his accused was convicted in C/1 station Cr No 165/276 D 9.10.36.

E.E. Thirayulu
HC 76 BP/124
3/1/39.

Sir

This may be forwarded C/1 Stor. for compliance.

S.I. C 1
4/1

For report
4/1

4/2

P.T.O.

Despatch Clk.
4/1

Despatch Clk.
4/1

Sir

6

Report attached.

Yours sincerely

5/2/29

S.Sec.1

Submitted, when forwarding petitioners
letter that it be pointed out that
this is a really dangerous K.B. case
remission of sentence is recommended

6/2/29

Cl Station ✓ 1st Arm No. 165/37 ✓ 49-10-36

Accused Convicted and

Sentenced to undergo Rigorous

imprisonment for a period

of 3 years & R.R. for 2 years

under Secs. 381 & 75 I.P.C.

On 11-1-37.

Charge Sheet 47/37 dt. 29-11-36

Bang. Pol. 16.

No. 1977/A/34

OFFICE O
CIVIL AND
Dated

FROM

COMMISSIONER OF POLICE,
CIVIL AND MILITARY

To

THE DISTRICT JUDGE,
CIVIL AND MILITAR

Sir,

Reference :—Your letter No. I

I remit herewith Rs. /-8-
instalment recovered from P.C. N
in S. C. S. No. 1050/34 and Ex. P. No.
Please send court receipt.

948—11-4-1933—2,000—RPB.

(7

Submitted

Shoolay Police Station. History Sheet No 24: K.D. Abdul Hameed Khan S/o of Dilawar Sahib Khan (Died) aged 24 years of no fixed abode visits prostitutes houses and is addicted to intoxicating drugs. employed himself as a servant under merchants & Commits Crime.

His sphere of Operation is. Bangalore City. Bangalore Cantonment. Chickpet & Madras City He has no Associates.

Class of Crime III M

He has the following previous Convictions

I Convicted u. s. 380. I.P.C. & Sentenced to 8 stripes in C. C. 1572 by the Bench Magistrate Bangalore City on dt. 4. 1926.

II Convicted u. s 380. I P.C & Sentenced to 3 months R. I. in C. C. 1723 by the Bench Magistrate Bangalore City on 28. 2. 1927.

III Convicted u. s. 380. I. P.C. & Sentenced to 3 months R. I. in C. C. 4555 by the Bench Magistrate Bangalore City on 17. 6. 1927

IV. Convicted u. s. 380. I.P.C. & sentenced to 6 months R. I. in C.C. 435 by the 3rd Class Magistrate, Bangalore City on 17. 10. 1927

V Convicted u. s. 380. I.P.C. & ~~sentenced~~ (released ~~the~~ of good behaviour u. s. 562 C.P.C.) in C.C. No. 442 by the 1st class 2nd Magistrate, C. & M.P. Station, Bangalore. on 21. 8. 1926.

VI Convicted u. s. 380. I.P.C. & sentenced to 2 months R. I. in C. C. 356. by the District Munsiff & 1st Class Magistrate, C. & M. Station, Bangalore on 8.10.28.

VII Convicted u. s. 379 & 380. I.P.C. & ~~sentenced~~ (detained for 4 years in Borstal School) C.C. 5544, by the 3rd Presy Magistrate Egmore, Madras City on 10 12/28.

VIII Convicted u. s. 109 C.P.C. & sentenced to one year R. I. in C. C. 11 by D.M., Cloverpet on 12 12/34.

IX Convicted u. s. 380. & 75 & sentenced to 2 years R. I & 2 years N.R. in C. C. 783 by the District Munsiff & 1st Class Magistrate C. & M. M. Bangalore on 18. 1. 1933.

X Convicted & sentenced to 3 years. R. I. & 2 years N. R. in ~~the~~ P. R. No. 12/36. by the Sessions Judge, C. & M. M., Bangalore, on 11. 1. 1937.

5/2/39

No: 1289/9/38

Forwarded to the District Magistrate, Chittoor, Bangalore for favour of information and necessary action. The case of the Superintendent, Central Jail, Vellore. The details of the previous history of Convict No. 9274 Abdul Hameed Khan are given in the attached Police Report.

As this Convict is a dangerous M. D. & his remission of sentence is not recommended

R. Ramakrishna
6/2/39
Commissioner of Police
C.I.D. & M. STN. BANGALORE.

OFFICE OF THE DISTRICT MAGISTRATE
10 FEB 1939
536-C-39
DESPATCH SECTION

N.Dis. 536-C-39

Forwarded to the Superintendent, Central Jail, Vellore. The remission of sentence of the convict is not recommended.

15/2/39

DISTRICT MAGISTRATE.

DESPATCH
11 FEB. 1939

SECRET 1979

No. A. dated the 20th Jan. 1939.

SUPERINTENDENT, CENTRAL PRISON, BANGALORE. RECEIVED 23 JAN 1939

Copy communicated to the District Magistrate Bangalore for favour of supplementing the details with such information and remarks as may seem to be appropriate and necessary towards the end in view.

2. At the suggestion of the Board, it is further requested that it may be definitely stated whether or not the prisoner can be released without injury to the community.

Major, I.M.S.
Superintendent.

To

The District Magistrate, Bangalore

C.N.Dis. Mis-Sent

Forwarded with compliments to the District Magistrate Bangalore Dist. Bangalore City

for DISTRICT MAGISTRATE.

DSP 322 28.1.39

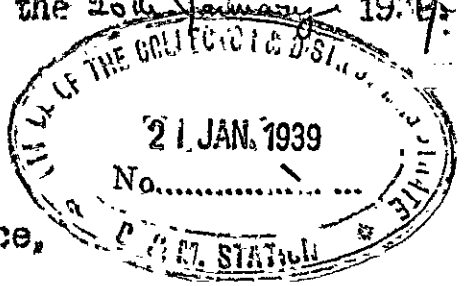
Remarks

Forwarded to the C.S.P., Bangalore for an immediate report in the matter.

for District Magistrate, Bangalore City

URGENT

No. R. 12 Office of the Superintendent, Central Jail
Vellore, dated the 20th January 1939.



From
Major G. S Gill, I.M.S.,
Superintendent

To
The District Superintendent of Police,
Bangalore.

Sir,

As the Advisory Board constituted by G.O. No.667, Law (General) dated the 26th February 1923, as published in Part I of the Fort St. George Gazette dated 6-3-23, is to sit at this jail shortly, I request that you will be so good as to favour me promptly with full and accurate details of the previous history in the case of convict No.9274 Abdul Hameed Khan @ Abdulla who was sentenced in S.C No. 12 of 36 on the file of the Sessions Judge, C.M.S., Bangalore, as it is one of those to be placed before the Board for consideration.

2. As the matter does not admit of delay, I shall be obliged if you will kindly give it to your personal attention and forward the required details with all possible haste through the District Magistrate, Bangalore so as to be received well in time.

Son of Paikwan Sadhukhan.
Residence: Bangalore Cantt, Sultan kunta
Sentence 3 yrs R.I. & N.R. for 2 yrs.

Sd. G. S. Gill,

Major, I.M.S.
Superintendent.

Urgent
M.A.C.B. 360
36

Statement to the Sessions Magistrate—Bangalore
District pr process of examination Book, the
52 24-39
38 on as well as the prisoner referred to on
91 of C & M. Station. Hence This may kindly be
4.FEB referred to the Commissioner of Police
Station Bangalore for disposal
M-1027 BA
35-39

OFFICE OF THE COMMISSIONER
No.....
15. FEB 1939
BANGALORE
C & M STATION

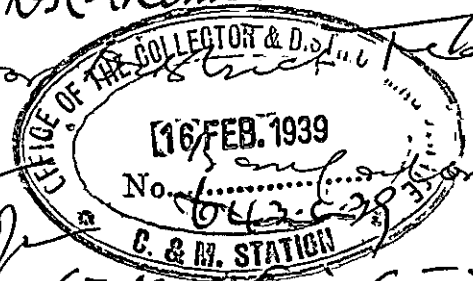
Forwarded with Compliments,
to the Commissioner of police C+T
Station,

Yr. Obdt Servt
Asst Supdt of
Police
2/2

Marion, Bangalore for opinion

'15 — DR-Thennahuthaya

For District Telegraphic Code



No. 1289/G/38 Dt.

Encl

Returned to the Head Master State C[illegible] Bangalore. The Police report on the telegram was forwarded to you in this office No: 1289/G/38-39 on 26.1.39 under this office

1/2/39 R/ Marion

[illegible] SIC

[illegible] C. & M. STN. BANGALORE.

(13

X.N.Dis.

Forwarded to the Superintendent, Central Jail, Vellore in continuation of endorsement from this office No. N.Dis. 536-C-39 dated 10-2-39.

DESPATCHED 16 FEB. 1939

For DT. MAGISTRATE.

16/2

(14

Issued 30/5/39 AS.

Issue 22/5

D.Dis.No.210-39/Judl. Encl(2)

Dated. 30th May 39

From

The Secretary to the Resident.

To

The Secretary to the Government of Madras, Home Department.

Remission of sentence - Abdul Hamid Khan alias Abdulla - No 9274, Central Jail, Vellore

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Sir,

I am directed to refer to your letter No.2382, dated the 28th April 1939. The Hon'ble the Resident regrets that he cannot ~~see his way to~~ accept the recommendation of the Advisory Board that ~~for the release of~~ the prisoner may be solicited. The copies of judgments forwarded with your letter are returned

I have etc.

(Sd) A.J. Courtney.

Secretary to the Resident

S.N:1/puc.

Jr. 16.5.39

Ac 16.5.39

2 copies to D.M.C. K.M. Station.

Issue 22/5